

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Pavlov, et al.

Serial No.: 10/653,809

Filed: September 3, 2003

Confirmation No.: 4510

Group Art Unit: 2625

Examiner: Cruz, Iriana

Docket No. 200308641-1

For: **Systems and Methods for Controlling A Manufacturing System**

RESPONSE TO ELECTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In regard to the restriction requirement in the Office Action of September 28, 2007, Applicant submits the following response.

Deposit Account Authorization

It is not believed that extensions of time are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 08-2025.

REMARKS

This is a full and timely response to the outstanding non-final Office Action September 28, 2007. The Examiner has required the Applicant to elect to prosecute one of two "species" identified in the Office Action. In response to the election requirement, Applicant respectfully elects to prosecute "Species II," with traverse.

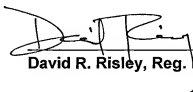
Applicant respectfully traverses the election requirement on the basis that the two "species" described in relation to Figures 3 and 6 are not different species at all. Rather, they describe the same method, albeit at different levels of detail. Specifically, Figure 3 is intended as an overview of a general method (see page 10, line 9: "FIG. 3 provides an overview . . .") while Figure 6 describes a specific example embodiment of that general method. Therefore, if one wanted to identify a genus and species in the application, Figure 2 could be considered the genus and Figure 6 could be considered a particular species of that genus.

In view of the above, it is clear that Figures 3 and 6 do not disclose alternative methods. Instead, they describe the same method at different levels of detail. Applicant therefore respectfully submits that the election requirement should be withdrawn.

Regarding identification of claims that pertain to the elected "species," Applicant notes that each of the pending claims pertains to both Figures 3 and 6 given that those figures describe the same method. Accordingly, claims 1-34 pertain to "Species II" identified by the Examiner.

Should the Examiner have any questions regarding this Response, the Examiner is invited to contact Applicant's representative at (770) 933-9500.

Respectfully submitted,



David R. Risley, Reg. No. 39,345